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PTO/SB/29 (10-00)

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CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

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Attorney Docket No. of Prior Application	53321USA1A (MNN026PA)
First Named Inventor	Craig S. Chamberlain
Examiner Name	Jan M. Ludlow
Group Art Unit	1743
Express Mail Label No.	

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),
(continued prosecution application (CPA)) of prior application number 09 / 358,738,
filed on July 21, 1999, entitled Method for Measuring Stress Levels in Polymeric Compositions

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14885 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

- ☐ Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.
- ☒ A preliminary amendment is enclosed.
- This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - ☐ DELETE the following inventor(s) named in the prior nonprovisional application:

 - ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed:
 - ☐ PTO-1449
 - ☐ Copies of IDS Citations

(Page 1 of 2)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

Applicant : Chamberlain et al.
Serial No. : 09/358,738
Filed : July 21, 1999
Title : Method for Measuring Stress Levels in Polymeric Compositions
Attorney Docket : 53321USA1A (MNN026PA)
Examiner : J. Ludlow
Art Unit : 1743

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being
facsimile transmitted to the Patent and
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Attorney

Reg. No. 33,579

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

PRELIMINARY AMENDMENT FILED WITH CPA REQUEST

Prior to issuing a first Office Action on the merits in the above-identified continued-prosecution application, consideration of the amendments and remarks set out below is respectively requested.

IN THE CLAIMS

Please amend claims 33 and 37-49 as follows:

C1
33. (Twice Amended) A method of measuring a magnetic characteristic of ferromagnetic or ferrimagnetic microparticles, said microparticles being provided in a polymeric or pre-polymeric composition, said method comprising the steps of: (a) providing an instrument for measuring inductance or inductive reactance; (b) subjecting a portion of the instrument to different temperatures and recording data corresponding to the performance of the instrument portion at each temperature; (c) making at least one measurement using the instrument; (d) correcting said measurement for temperature based on the performance data; and (e) determining the magnetic characteristic of the microparticles using the corrected measurement.

C2
37. (Amended) A method as set forth in claim 33, wherein said step of providing an instrument comprises the step of providing a solenoid coil which defines the instrument portion and a meter for directly reading coil inductance, the inductance of the coil is directly related to

FAX RECEIVED**STEVENS & SHOWALTER, L.L.P.**

JAN 17 2003

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EMAIL: SSLLP@SPEAKEASY.NET**FACSIMILE TRANSMISSION**

TO:	Name:	Jan M. Ludlow, Art Unit 1743	
	Company:	US Patent and Trademark Office	
	Fax No.:	703/872-9311	Phone No.:
FROM:	Name:	Robert L. Showalter	
	Date:	January 17, 2003	
	Our Ref.:	53321USA1A (MNN026PA); Serial No. 09/358,738	Trans. No.:
# Pages (incl. cover): 19			

REMARKS:**OFFICIAL****OFFICIAL****CONTINUED PROSECUTION APPLICATION (CPA) REQUEST
TRANSMITTAL (with accompanying documents)****Please deliver to Examiner Ludlow immediately.****CONFIDENTIAL ATTORNEY CLIENT PRIVILEGED FACSIMILE COMMUNICATION**

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RECEIPT
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CPA

To do company's request to
a Continued Prosecution Application (CPA)
under 37 CFR 1.53(d)
filed by facsimile transmission

NOTE: By this receipt, the USPTO (a) acknowledges that a request for a CPA was filed by facsimile transmission on the date stamped below by the USPTO and (b) verifies only that the application number provided by the applicant on this receipt is the same as the application number provided on the accompanying request for a CPA. This receipt CANNOT be used to acknowledge receipt of any paper(s) other than the request for a CPA.

2. APPLICATION IDENTIFICATION:

(Provide at least enough information to identify the application)

a. For prior application

Application No.: 09/358,738
Filing Date: July 21, 1999
Title: METHOD FOR MEASURING STRESS LEVELS IN POLYMERIC COMPOSITIONS
Attorney Docket No.: 53321USA1A (MNN026PA)
First Named Inventor: Craig S. Chamberlain

b. For instant CPA application:

New Attorney Docket No.:
(if applicable)

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